FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.998 OF 2004

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Ms Gauri Godse, for the petitioner.
None for the respondents.

CORAM: D.B.BHOSALE,J.
DATED: 18.10.2006

P.C.:

Heard the learned counsel for the petitioner. None appears for the respondents.

The order appointing a court commissioner is under challenge in the present writ petition. I perused the order. Ms Godse, learned counsel for the petitioner, submits that the court commissioner cannot be appointed for collecting evidence and, in any case, in the present case the appointment of the court commissioner was not necessary. After having considered the submissions advanced by Ms Godse, learned counsel for the petitioner, and perused the impugned order,

I find no reason to interfere with the discretionary order passed by the court below appointing the court commissioner. It is always open to the petitioner to file objections to the report of the court commissioner, if so advised. In my opinion, the order does not suffer from any infirmity warranting interference by this Court under Article 227 of the Constitution of India. The writ petition is dismissed.

(D.B.BHOSALE,J.)